

ESTTA Tracking number: **ESTTA695820**

Filing date: **09/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200832
Party	Defendant Honda Giken Kogyo Kabushiki Kaisha (Honda Motor Co., Ltd.)
Correspondence Address	SARAH R FRAZIER WILMER CUTLER PICKERING HALE AND DORR LLP 60 STATE ST BOSTON, MA 02109 UNITED STATES michael.bevilacqua@wilmerhale.com, john.regan@wilmerhale.com, shira.hoffman@wilmerhale.com, sarah.frazier@wilmerhale.com, si- lena.paik@wilmerhale.com,
Submission	Defendant's Notice of Reliance
Filer's Name	Silena Paik
Filer's e-mail	silena.paik@wilmerhale.com
Signature	/s/ Silena Paik
Date	09/14/2015
Attachments	NOR 7 (Public Version).pdf(985583 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

BRIGGS & STRATTON CORPORATION and)	
KOHLER CO.,)	
)	
Opposers,)	Opposition No. 91200832 (parent)
)	
v.)	Opposition No. 91200146
)	
HONDA GIKEN KOGYO KABUSHIKI)	Application Serial No. 78924545
KAISHA,)	
)	
Applicant.)	
)	
)	

APPLICANT’S SEVENTH NOTICE OF RELIANCE

On July 14, 2015, Opposers Briggs and Stratton Corporation (“Briggs”) and Kohler Co. (“Kohler”) (collectively “Opposers”) submitted their First Notice of Reliance. Attached to that notice was a copy of a decision of the Second Board of Appeal for the European Union’s Office for Harmonization in the Internal Market (“OHIM”) regarding Community Trade Mark Application No. 3365996. (Opp. First Notice of Reliance, Exhibit E16-E22.)

Applicant Honda Giken Kogyo Kabushiki Kaisha (“Honda”) maintains that foreign intellectual property proceedings and decisions are not relevant to the present Opposition and therefore objects to the admission of Opposers’ Exhibit E16-E22. However, to the extent the Board considers Opposers’ Exhibit E16-E22, without waiving its objections, pursuant to 37 C.F.R. § 2.122(e), Honda submits, and gives notice of its reliance on, the attached OHIM Certificate of Registration for Trade Mark No. 003365988 for completeness.

Description	Pages to be Read	Applicant Trial Exhibit No.
Office for Harmonization in the Internal Market, Certificate of Registration for Community Trademark No. 003365988	AHGX0102037- AHGX0102039	I

Honda submits that the above-identified exhibit, and copy of the same submitted herewith, is an official record of the European Union's Office for Harmonization in the Internal Market, Trade Marks and Register Department that is publicly available at:
<https://oami.europa.eu/eSearch/#basic/1+1+1+1/003365988>.

Respectfully submitted,

Dated: September 14, 2015

/s/ Silena Paik

John Regan
Vinita Ferrera
Silena Paik
Sarah Frazier
Shira Hoffman
Wilmer Cutler Pickering Hale
and Dorr LLP
Boston, MA 02109
(617) 536-6000

Attorneys for Honda Giken Kogyo
Kabushiki Kaisha

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Seventh Notice of Reliance was served by FedEx this 14th day of September, 2015 upon:

Kenneth Nowakowski
Melinda Giftos
Whyte Hirschboeck Dudek S.C.
555 E. Wells Street, Suite 1900
Milwaukee, Wisconsin 53202

And

Robert N. Phillips
Seth B. Herring
Reed Smith LLP
101 Second Street
Suite 1800
San Francisco, California 94105

/s/ Silena Paik
Silena Paik

Applicant Exhibit I



OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET
(TRADE MARKS AND DESIGNS)

Trade Marks and Register Department

Alicante, 13/06/2005

HASELTINE LAKE
Redcliff Quay
120 Redcliff Street
Bristol BS1 6HU
REINO UNIDO

Certificate of Registration¹

Registration No.: 003365988
Your reference: T100074EU00/MHK/cm
Trade Mark:
Applicant: Honda Giken Kogyo Kabushiki Kaisha (also trading as Honda Motor Co., Ltd.)
No.1-1, Minami-aoyama 2-chome, Minato-ku
Tokyo 107-8556
JAPÓN

Please find enclosed the certificate of registration for Community Trade Mark No. 003365988 which was published in the Community Trade Marks Bulletin no. 2005/024 on 13/06/2005 (see OHIM's website: <http://oami.europa.eu>).

This certificate contains information from the Community Trade Marks Register at the date of registration (see code 151 on the certificate). If you have filed a request for modification of data on or after that date, no new certificate will be issued. You will be notified separately of the change after which an extract from our database may be requested to reflect the administrative status of the mark.

For an explanation of the codes on the certificate please consult the Vademecum on OHIM's website: <http://oami.europa.eu/pdf/mark/vademecum-ctm-en.pdf>.

If you do not agree with the content of this certificate please do not send back the original. You should instead send the Office a letter indicating your objections, which will be dealt with separately.

Catherine DOBSON

¹in accordance with Rule 24(1) of Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark (<http://oami/en/mark/aspects/reg/reg2868.htm>) ("Community Trade Mark Implementing Regulation" or "CTMIR") (<http://oami.europa.eu>)



Registered / Eingetragen 01/04/2005

No 003365988

**OHIM – OFFICE FOR HARMONIZATION IN THE
INTERNAL MARKET
TRADE MARKS AND DESIGNS**

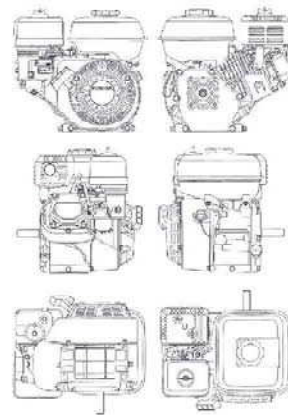
CERTIFICATE OF REGISTRATION

This Certificate of Registration is hereby issued for the Community Trade Mark identified below. The corresponding entries have been recorded in the Register of Community Trade Marks.

**HABM – HARMONISIERUNGSAMT FÜR DEN
BINNENMARKT
MARKEN, MUSTER UND MODELLE**

EINTRAGUNGSRUKUNDE

Diese Eintragungsurkunde wird für die unten angegebene Gemeinschaftsmarke ausgestellt. Die betreffenden Angaben sind in das Register für Gemeinschaftsmarken eingetragen worden.



The President / Der Präsident

Wubbo de Boer



210 003365988
220 17/09/2003
400 06/09/2004
151 01/04/2005
450 13/06/2005
186 17/09/2013
554

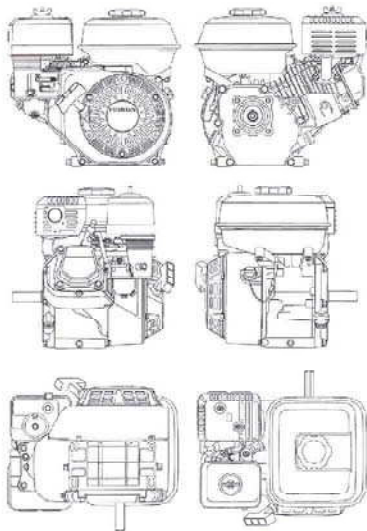
Motores, à excepção dos motores para veículos terrestres.

FI - 07

Moottorit, paitsi maa-ajoneuvoin.

SV - 07

Motorer, ej för landfordon.



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531 15.01.11
98.04.00
731 Honda Giken Kogyo Kabushiki Kaisha (also trading as Honda Motor Co., Ltd.)
No.1-1, Minami-aoyama 2-chome, Minato-ku
Tokyo 107-8556
JP
740 HASELTINE LAKE
Redcliff Quay
120 Redcliff Street
Bristol BS1 6HU
GB
270 EN DE
511 **ES** - 07
Motores, excepto para vehículos terrestres.
DA - 07
Motorer, dog ikke til befordringsmidler til brug på land.
DE - 07
Motoren, ausgenommen für Landfahrzeuge.
EL - 07
Κινητήρες, εκτός των κινητήρων χερσαίων οχημάτων.
EN - 07
Engines, except for land vehicles.
FR - 07
Moteurs, excepté pour véhicules terrestres.
IT - 07
Motori, tranne quelli per veicoli terrestri.
NL - 07
Motoren, uitgezonderd voor voertuigen.
PT - 07